

**REAL ESTATE BOARD
MINUTES
MADISON, WISCONSIN
AUGUST 26, 1999**

PRESENT: Richard Hinsman, Bettye Lawrence, Harold Lee, Jerome Nelson, Richard Kollmansberger, Nancy Gerrard (by telephone), Jim Imhoff arrived at 10:17 a.m.

STAFF PRESENT: Cletus Hansen, Donald Rittel, Jan Neitzel; Division of Enforcement staff were present for portions of the meeting.

GUESTS: Rick Staff, WRA

CALL TO ORDER

The meeting was called to order at 10:15 a.m. by Richard Hinsman, Vice Chair, upon confirmation that the public notice was timely given. A quorum of 7 members was present.

AGENDA

MOTION: Jerome Nelson moved, seconded by Harold Lee, to adopt the agenda as published. Motion carried unanimously.

MINUTES (6/24/99)

MOTION: Harold Lee moved, seconded by Richard Kollmansberger, to approve the minutes as written. Motion carried unanimously.

Jim Imhoff arrived and chaired the rest of the meeting.

ADMINISTRATIVE REPORT

Secretary Cummings' Report

Secretary Cummings was not available.

Division Administrator's Report

- Board Roster

The board received the June 1999 roster and advised Mr. Hansen of e-mail additions.

- Meeting Dates for 2000

The Board received a copy of the year 2000 meeting dates and by consensus approved the dates.

- Draft of Regulatory Digest

The Regulatory Digest is in draft form and will be sent to licensees within the month.

LEGISLATIVE UPDATE

Bills Relating To Real Estate Regulation, If Any Are Available

Nothing to report.

WRA Proposed Amendment to the Biennial Budget Bill

Rick Staff reported his office has had contact with Senator Chuala relating to the definition of branch office manager and direct full-time supervision.

ADMINISTRATIVE RULES

Final Copy of RL12 and RL 25 re: Education Requirements

The Board received copies of the final drafts of RL 12 and RL 25. Noted.

Issues for Future Rulemaking

Don Rittel will prepare a rule draft for the September 23, 1999, meeting addressing full-time branch office manager, disclosure of licensed status, submittal of offer by licensee, disclosure of licensed status in ads for rental properties, and all negotiations with the buyer must be with buyer's buyer-agent.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

Screening Statistics

The Board received a copy of the screening statistics for June and July 1999. Noted.

Letter From Hugh Burdick re: Supervision Rules

The Board received a copy of the June 22, 1999, letter from Hugh Burdick. Noted.

Letter from Gerald Geishart re: Experience Requirement

The Board noted the August 9, 1999, letter from Gerald Geishart relating to real estate agents. The Board took no action.

Other

The Board received a copy of the July/August/September 1999 Real Estate article entitled "Beyond 2000: The future of real estate regulation." Noted.

The Board received a copy of the August 6, 1999, article in The Business Journal, entitled “Real Estate Wizard.”

The Board received a copy of the July 20, 1999, Milwaukee Journal Sentinel article entitled “Realtors seek help to change radium standards.” Noted.

NEW BUSINESS

Angi Jerney, Division of Enforcement, presented information concerning the creation of a forfeiture grid for various types of actions. The Board concluded that creation of such a grid may not be helpful.

PUBLIC COMMENT

RECESS TO CLOSED SESSION

MOTION: Bettye Lawrence moved, seconded by Jerome Nelson, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(a), (b), and (f), Wis. Stats., to consider the licensing or discipline of a person licensed by the Department or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, monitoring reports, deliberations on stipulations that may be signed after printing of the agenda, and disciplinary proceedings. Motion carried unanimously by a roll call vote: Nancy Gerrard-yes; Richard Hinsman-yes; Richard Kollmansberger-yes; Bettye J. Lawrence-yes; Harold Lee-yes; Jerome M. Nelson-yes; James R. Imhoff-yes. Motion carried unanimously.

Open Session recessed at 10:44 a.m.

The Board received a copy of the Division of Enforcement Case Status Report.

Deliberation on Proposed Stipulations or Disciplinary Actions that May be Signed After Printing of Agenda

The Board deliberated on case closings, stipulations, a monitoring case, and administrative warnings.

Final voting on these issues was conducted in Open Session.

RECONVENE IN OPEN SESSION

MOTION: Bettye Lawrence moved, seconded by Harold Lee, to adjourn the Closed Session and to reconvene in Open Session at 11:07 a.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

STIPULATIONS

Willard A. Seiffert (Hudson, WI)

MOTION: Harold Lee moved, seconded by Bettye Lawrence, to accept the Stipulation, Findings of Fact, Conclusions of Law and Order in the disciplinary matter involving **Willard A. Seiffert**. Motion carried unanimously.

CASE CLOSINGS

MOTION: Richard Kollmansberger moved, seconded by Jerome Nelson, to close the following 8 cases presented by the Division of Enforcement for closing. Motion carried unanimously.

98 REB 280	Robert M. Mayer	No violation
99 REB 001	Richard J. Freund	P2
99 REB 001	Freund Real Estate Inc.	P2
99 REB 001	Daniel E. Holzman	P2
99 REB 016	Carl biller	P3
99 REB 021	James Dix	No violation
99 REB 021	First Choice Realty	No violation
99 REB 021	John J. Dix	No violation
99 REB 035	Creske corporation	P2
99 REB 035	William Creske	P2
99 REB 082	Janice L. Ewald	Letter of concern
99 REB 082	Brenda S. Oppor	Letter of concern
98 REB 330	First Weber Group	P2
97 REB 332	Edward Busse	Letter of concern
97 REB 332	Jeanette Acker	Letter of concern
97 REB 332	James Imhoff, Jr.	Letter of concern

MONITORING REPORT

David V. Jennings, III (Mequon, WI)

MOTION: Harold Lee moved, seconded by Richard Hinsman, to reinstate the license of David V. Jennings. Motion carried unanimously.

Caston Love, (Milwaukee, WI)

MOTION: Richard Kollmansberger moved, seconded by Harold Lee, to extend the payment date for Caston Love to September 20, 1999. Motion carried. Bettye Lawrence voted no.

Administrative Warnings

MOTION: Harold Lee moved, seconded by Jerome Nelson, to issue an administrative warning to **Stephanie Bratz**. Motion carried unanimously.

MOTION: Harold Lee moved, seconded by Jerome Nelson, to issue an administrative warning to **Kathleen Schmitt**. Motion carried unanimously.

MOTION: Harold Lee moved, seconded by Jerome Nelson, to issue an administrative warning to **Diane Wendorf**. Motion carried unanimously.

ADJOURNMENT

MOTION: Jerome Nelson moved, seconded by Richard Hinsman, to adjourn the meeting. Motion carried unanimously.

Meeting adjourned at 11:07 a.m.